

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

UNITED STATES OF AMERICA)	<u>I N D I C T M E N T</u>
)	
)	Case No. _____
v.)	
)	Violation: 18 U.S.C. §§ 1153, 2241(a)(1),
)	2241(c), 2242(1), 2242(2)(B), 2243(a), and
MEDICINE BIRD MORSETTE and)	2260A
DUSTIN MORSETTE,)	
a/k/a DUSTY JAMES MORSETTE)	

COUNT ONE

Aggravated Sexual Abuse

The Grand Jury Charges:

From in or about October 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly caused and attempted to cause another person, namely “child 9,” to engage in a sexual act, that is, contact between the penis and the anus, by using force against that other person, the other person being a child who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years, and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2241(a)(1), 2241(c), and 1153.

COUNT TWO

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about October 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged and attempted to engage in a sexual act, that is, contact between the penis and the anus, with another person, namely “child 9,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT THREE

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about October 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 9,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT FOUR

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about October 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 9,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT FIVE

Sexual Abuse

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged in and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 4,” at a time when the other person was physically incapable of declining participation in, and communicating an unwillingness to engage in, that sexual act;

In violation of Title 18, United States Code, Sections 2242(2)(B) and 1153.

COUNT SIX

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged in and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 4,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT SEVEN

Sexual Abuse

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, caused and attempted to cause another person, namely “child 8,” to engage in a sexual act, that is, the penetration, however slight, of the genital opening of another by hand and finger with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, by threatening and placing that person in fear, other than by threatening and placing that other person in fear that any person will be subjected to death, serious bodily injury, and kidnapping;

In violation of Title 18, United States Code, Sections 2242(1) and 1153.

COUNT EIGHT

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

DUSTIN MORSETTE,
a/k/a DUSTY JAMES MORSETTE,

an Indian, knowingly engaged in and attempted to engage in a sexual act, that is, the penetration, however slight, of the genital opening of another by hand and finger with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, with another person, namely “child 8,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than DUSTIN MORSETTE, a/k/a DUSTY JAMES MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT NINE

Sexual Abuse

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

MEDICINE BIRD MORSETTE,

an Indian, knowingly engaged in and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 4,” at a time when the other person was physically incapable of declining participation in, and communicating an unwillingness to engage in, that sexual act;

In violation of Title 18, United States Code, Sections 2242(2)(B) and 1153.

COUNT TEN

Sexual Abuse of a Minor

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

MEDICINE BIRD MORSETTE,

an Indian, knowingly engaged in and attempted to engage in a sexual act, that is, contact between the penis and the vulva, with another person, namely “child 4,” who had attained the age of twelve (12) years but had not attained the age of sixteen (16) years and who was at least four (4) years younger than MEDICINE BIRD MORSETTE;

In violation of Title 18, United States Code, Sections 2243(a) and 1153.

COUNT ELEVEN

Commission of Federal Sex Offense by Registered Sex Offender

The Grand Jury Further Charges:

From in or about August 2009 until in or about March 2010, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

MEDICINE BIRD MORSETTE,

an Indian, being required by Federal and other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Sections 2242 and 2243, as alleged and incorporated in Counts Nine and Ten of this Indictment;

In violation of Title 18, United States Code, Section 2260A.

A TRUE BILL:

/s/ Grand Jury Foreperson

Foreperson

/s/ Lynn C. Jordheim
LYNN C. JORDHEIM
Acting United States Attorney

RLV: rab